

*Control device* means the air pollution control equipment used to remove particulate matter from the effluent gas stream generated by an electric arc furnace or argon-oxygen decarburization vessel.

*Deviation* means any instance where an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emissions limitation or work practice standard;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emissions limitation in this subpart during startup, shutdown, or malfunction, regardless of whether or not such failure is permitted by this subpart.

*Electric arc furnace (EAF)* means a furnace that produces molten steel and heats the charge materials with electric arcs from carbon electrodes. An electric arc furnace consists of the furnace shell, roof, and the transformer.

*Electric arc furnace (EAF) steelmaking facility* means a steel plant that produces carbon, alloy, or specialty steels using an EAF. This definition excludes EAF steelmaking facilities at steel foundries and EAF facilities used to produce nonferrous metals.

*Free organic liquids* means material that fails the paint filter test by EPA Method 9095B, (revision 2, dated November 1994) (incorporated by reference—see §63.14) after accounting for water using a moisture determination test by ASTM Method D2216–05 (incorporated by reference—see §63.14). If, after conducting a moisture determina-

tion test, if any portion of the material passes through and drops from the filter within the 5-minute test period, the material contains *free organic liquids*.

*Leaded steel* means steel that must meet a minimum specification for lead content (typically 0.25 percent or more) and for which lead is a necessary alloy for that grade of steel.

*Mercury switch* means each mercury-containing capsule or switch assembly that is part of a convenience light switch mechanism installed in a vehicle.

*Motor vehicle* means an automotive vehicle not operated on rails and usually operated with rubber tires for use on highways.

*Motor vehicle scrap* means vehicle or automobile bodies, including automobile body hulks, that have been processed through a shredder. *Motor vehicle scrap* does not include automobile manufacturing bundles, or miscellaneous vehicle parts, such as wheels, bumpers or other components that do not contain mercury switches.

*Nonferrous metals* means any pure metal other than iron or any metal alloy for which an element other than iron is its major constituent by percent in weight.

*Scrap provider* means the person (including a broker) who contracts directly with a steel mill to provide scrap that contains motor vehicle scrap. Scrap processors such as shredder operators or vehicle dismantlers that do not sell scrap directly to a steel mill are not *scrap providers*.

*Specialty steel* means low carbon and high alloy steel other than stainless steel that is processed in an argon-oxygen decarburization vessel.

*Stainless steel* means low carbon steel that contains at least 10.5 percent chromium.

TABLE 1 TO SUBPART YYYYY OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART YYYYY

As required in §63.10691(a), you must comply with the requirements of the NESHA General Provisions (40 CFR part 63, subpart A) shown in the following table.

# Environmental Protection Agency

# § 63.10880

Citation	Subject	Applies to subpart YYYYY?	Explanation
§ 63.1(a)(1), (a)(2), (a)(3), (a)(4), (a)(6), (a)(10)–(a)(12), (b)(1), (b)(3), (c)(1), (c)(2), (c)(5), (e), § 63.1(a)(5), (a)(7)–(a)(9), (b)(2), (c)(3), (c)(4), (d).	Applicability .....	Yes.	
	Reserved .....	No.	
§ 63.2 .....	Definitions .....	Yes.	
§ 63.3 .....	Units and Abbreviations .....	Yes.	
§ 63.4 .....	Prohibited Activities and Circumvention.	Yes.	
§ 63.5 .....	Preconstruction Review and Notification Requirements.	Yes.	
§ 63.6(a), (b)(1)–(b)(5), (b)(7), (c)(1), (c)(2), (c)(5), (e)(1), (e)(3)(i), (e)(3)(iii)–(e)(3)(ix), (f), (g), (h)(1), (h)(2), (h)(5)–(h)(9), (i), (j).	Compliance with Standards and Maintenance Requirements.	Yes.	
§ 63.6(b)(6), (c)(3), (c)(4), (d), (e)(2), (e)(3)(ii), (h)(3), (h)(5)(iv).	Reserved .....	No.	
§ 63.7 .....	Applicability and Performance Test Dates.	Yes.	
§ 63.8(a)(1), (a)(2), (b), (c), (d), (e), (f)(1)–(5), (g).	Monitoring Requirements .....	Yes .....	Requirements apply if a COMS or CEMS is used.
§ 63.8(a)(3) .....	[Reserved] .....	No.	
§ 63.8(a)(4) .....	Additional Monitoring Requirements for Control Devices in § 63.11.	No.	
§ 63.8(c)(4) .....	Continuous Monitoring System Requirements.	Yes .....	Requirements apply if a COMS or CEMS is used.
§ 63.8(f)(6) .....	RATA Alternative .....	Yes .....	Requirements apply if a CEMS is used.
§ 63.9(a), (b)(1), (b)(2), (b)(5), (c), (d), (f), (g), (h)(1)–(h)(3), (h)(5), (h)(6), (i), (j).	Notification Requirements .....	Yes.	
§ 63.9(b)(3), (h)(4) .....	Reserved .....	No.	
§ 63.9(b)(4) .....	Reserved .....	No.	
§ 63.10(a), (b)(1), (b)(2)(i)–(v), (b)(2)(xiv), (b)(3), (c)(1), (c)(5)–(c)(8), (c)(10)–(c)(15), (d), (e)(1)–(e)(4), (f).	Recordkeeping and Reporting Requirements.	Yes .....	Additional records for CMS in § 63.10(c) (1)–(6), (9)–(15), and reports in § 63.10(d)(1)–(2) apply if a COMS or CEMS is used.
§ 63.10(b)(2)(xiii) .....	CMS Records for RATA Alternative.	Yes .....	Requirements apply if a CEMS is used.
§ 63.10(c)(2)–(c)(4), (c)(9) .....	Reserved .....	No.	
§ 63.11 .....	Control Device Requirements .....	No.	
§ 63.12 .....	State Authority and Delegations	Yes.	
§§ 63.13–63.16 .....	Addresses, Incorporations by Reference, Availability of Information, Performance Track Provisions.	Yes.	

## Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources

SOURCE: 73 FR 252, Jan. 2, 2008, unless otherwise noted.

### APPLICABILITY AND COMPLIANCE DATES

### § 63.10880 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate an iron and steel

foundry that is an area source of hazardous air pollutant (HAP) emissions.

(b) This subpart applies to each new or existing affected source. The affected source is each iron and steel foundry.

(1) An affected source is existing if you commenced construction or reconstruction of the affected source before September 17, 2007.

(2) An affected source is new if you commenced construction or reconstruction of the affected source on or after September 17, 2007. If an affected